

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

AARON ESPENSCHIED,
GARY IDLER, and MICHAEL CLAY,
on behalf of themselves and a
class of employees and/or
former employees similarly situated,
Plaintiffs,

v.

DIRECTSAT USA, LLC and
UNITEK USA, LLC,
Defendants.

Case No. 09-cv-625

DEFENDANTS' OBJECTION TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

Defendants DirectSat USA, LLC and UniTek USA, LLC (together, Defendants), respectfully submit the following objections to Plaintiffs' Rule 26(a)(3) Disclosures. Defendants reserve the right to amend, revise, or supplement their objections prior to trial, particularly to the extent Plaintiffs submit a new trial plan, or the Court enters additional Orders (e.g., class decertification) which may impact these issues.¹ Defendants further reserve the right to proffer additional objections at trial depending on how those documents are used, what witnesses are called, and the witnesses through whom Plaintiffs propose to offer the exhibits and/or testimony.

Respectfully submitted,

OF COUNSEL:

ELLIOTT GREENLEAF & SIEDZIKOWSKI, P.C.

/s/ Colin D. Dougherty

Frederick P. Santarelli

Eric J. Bronstein

John P. Elliott

Colin D. Dougherty

Gregory S. Voshell

¹ The Court has rejected Plaintiffs' initial trial plan as to how Plaintiffs propose to prove a case. The Court has also expressed its inclination to decertify the class and collective action aspect of this case. As of the time of preparing these objections, Plaintiffs' counsel has not yet submitted a new trial plan in response to the Court's concerns and directives.

Union Meeting Corp. Ctr.
925 Harvest Dr., Suite 300
Blue Bell, PA 19422
(215) 977-1000

STAFFORD ROSENBAUM LLP

Laura Skilton Verhoff
Drew J. Cochrane
222 W. Washington Ave., Suite 900
Madison, Wisconsin 53701-1784
(608) 256-0226

DATED: May 19, 2011

Counsel for Defendants

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

Witnesses Plaintiffs Expect to Call (26(a)(3)(i)):	Defendants' Objections
1. Daniel Yannantuono (Adversely) (Live)	
2. Yvette Shockman (Adversely) (Live)	
3. Elizabeth Downey (Adversely) (Live)	
4. Jason Heaberlin (Adversely) (Live)	
5. William Morrison (Adversely) (By video deposition)	
6. James Dellinger (Adversely) (Live)	
7. Phil Wannarka (Adversely) (Live or by deposition designation)	
8. Stephanie Cook (Adversely) (pursuant to FRCP 43 contemporaneous transmission via phone or other means)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
9. David Deserre (WI) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
10. Chad Ludlum (WI) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
11. Ray Wetzel (CA) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
12. James George (NV) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
13. Stephen Forrest (AZ) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection.
14. R.J. Hutchison (IN) (Live pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection.
15. Aaron Espenscheid (WI) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
16. Gary Idler (MN) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
17. Scott Barnes (MN) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection.
18. Tom Berryman (MN) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
19. Daniel Allers (MN) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

20. Brian Carrier (MN) (Pursuant to FRCP 43 contemporaneous transmission via phone or other means or by deposition designation) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection.
21. Marc Braniff (MN) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
22. Steve Kopischke (MN) (Pursuant to FRCP 43 contemporaneous transmission via phone or other means or by deposition designation) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
23. Brett Domke (WI) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
24. Randall Whitrock (WI) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
25. James Atkinson (WI) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
26. Bradley Pauwels (WI) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
27. Michael Clay (PA) (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	
28. Herbert Blunt (PA) (By video deposition) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
29. Frantz Charles (PA) (By video deposition) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

30. Hank Holloway-Bryant (PA) (By video deposition) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
31. Christopher Nye (PA) (By video deposition) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
32. Scott Barnes (MN) (Live or pursuant to FRCP 43 contemporaneous transmission via phone or other means) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to video testimony under FRCP 43; Plaintiffs have not proffered good cause as required by the rule, nor can they given that individuals from numerous states are testifying live without objection. Plaintiffs chose this forum for its convenience and cannot now claim it to be the opposite.
33. David Lewin, PhD. (Live) (c/o Gingras, Cates and Luebke, 8150 Excelsior Drive, Madison, WI 53717)	Defendants object to the testimony of Dr. Lewin: (1) his expert report has been stricken; and (2) Defendants incorporate their Motion to Preclude Dr. Lewin's testimony. Dkt. Nos. 576, 578.
WITNESSES PLAINTIFFS MAY CALL(26(a)(3)(i)):	
1. Cathy Lawley (Adversely)	
2. Robert Fabrizio (Adversely)	
3. Martin Jones (Adversely)	
4. Jeff Winterbottom (Adversely)	
5. Bryce Woodford (Adversely)	
6. Ken Billak (Adversely)	Defendants note that Mr. Billak is a former employee.
7. Robert Bogseth (Adversely)	
8. Angela Peterson (Adversely)	
9. Bryan Bruheim (WI)	Plaintiffs do not identify if they intend to produce Mr. Bruheim live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
10. Michael Jackson (WI)	Plaintiffs do not identify if they intend to produce Mr. Jackson live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
11. Dustin Nicholson (WI)	Plaintiffs do not identify if they intend to produce Mr. Nicholson live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
12. Dennis Warner (WI)	Plaintiffs do not identify if they intend to produce Mr. Warner live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

13. Todd Witkowski (WI)	Plaintiffs do not identify if they intend to produce Mr. Witkowski live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
14. Todd Brennan (WI)	Plaintiffs do not identify if they intend to produce Mr. Brennan live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
15. Nathan Fraley (WI)	Plaintiffs do not identify if they intend to produce Mr. Fraley live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
16. Scott Barnes (MN)	Plaintiffs do not identify if they intend to produce Mr. Barnes live, but to the extent that they intend to proffer his deposition testimony, Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
17. William Daily (attorney at Gingras, Cates & Luebke)	Defendants object to Plaintiffs' attorneys testifying at trial (presumably regarding the expert damages report that they prepared and drafted). These individuals were not disclosed as "experts" under Rule 26(a)(2), nor could they be. Additionally, Mr. Daily should be precluded under the witness advocate rule. To the extent that Mr. Daily is being proffered for any purposes related to "Dr. Lewin's" report or the subject matter thereof, Defendants object for the reasons set forth in their pending Motion to Preclude Dr. Lewin's Reports and Testimony, including the failure to disclose materials required under Rule 26. Dkt. No. 576-78.
18. Lori Connor (paralegal at Axley Brynson)	Defendants object to Plaintiffs' paralegals testifying at trial (presumably regarding the expert damages report that they prepared and drafted). These individuals were not disclosed as "experts" under Rule 26(a)(2), nor could they be. Additionally, Ms. Connor should be precluded under the witness advocate rule. To the extent that Ms. Connor is being proffered for any purposes related to "Dr. Lewin's" report or the subject matter thereof, Defendants object for the reasons set forth in their pending Motion to Preclude Dr. Lewin's Reports and Testimony, including the failure to disclose materials required under Rule 26. Dkt. No. 576-78.
DESIGNATION OF THOSE WITNESSES WHOSE TESTIMONY THE PARTY EXPECTS TO PRESENT BY DEPOSITION (26(a)(3)(ii)):	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

1	Abraham Kawah	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
2.	Jeremy Johnson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
3.	Christopher Johnson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
4.	Grant Dorniden	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
5.	Todd Brennan	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
6.	Cathy Lawley	
7.	Robert Fabrizio	Defendants object to the introduction of Mr. Fabrizio's deposition as his deposition was not taken in this case.
8.	Peter Paige	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
9.	Steven Norgbean	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
10.	Nathan Fraley	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
11.	Raymond Larkin (Trimble)	
12.	Dustin Nicholson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
13.	Robert Pass	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
14.	Andry Pererva	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs.
15.	Ishmael Bah	
16.	Daniel Eckman	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

17.	Troy Gilbertson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
18.	Robert Hammond	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
19.	Mitchell Hanson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
20.	Martin Jones	
21.	Creed Patrick	
22.	Michael Terry	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
23.	Dennis Warner	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
24.	Phil Wannarka	
25.	Brian Carrier	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
26.	Steve Kopischke	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
27.	Scott Barnes	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs from Admitting Deposition Testimony of Opt-in Plaintiffs. Dkt. No. 575.
DOCUMENTS PLAINTIFFS EXPECT TO USE (26(a)(3)(iii)):		
1.	Dellinger email, 9-11-08, re. Overtime Reporting DSAT-UTEK 364382	
2.	UniTek USA Employee Handbook Jan. 2007 - Feb. 2009 (Depo. exh. 2) DSAT/UTEK 000089-132	
3.	UniTek USA Employee Policy Booklet July, 2007 - June, 2008 (Depo. exh. 3) DSAT/UTEK 000035-88.	
4.	UniTek USA / DirectSat USA Employee Handbook (Depo. exh. 4) <i>no Bates numbers on this one, but this consists of a cover, pages 1 - 43 and a three page addendum</i>	
5.	UniTek USA DirectSat USA Employee Policy Booklet June, 2008 through 2-26-10 (at least, because note on page says "current" and the exhibit was marked on 2-26-10) (Depo. exh. 5) <i>no Bates on this page [the document totals 60 pages, with a "Safety Orientation Checklist" appended and numbered page "47"]</i>	
6.	DirectSat USA Employee Handbook (Depo. exh. 6) DSAT/UTEK 001892 - 1935	
7.	DirectSat USA Employee Handbook July, 2009 - unspecified time (Depo. exh. 7): DSAT/UTEK 001750 - 1797	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

8. DirectSat USA Fleet Policy Handbook March, 2009 (Depo. exh. 8; also Depo. exh. 1, Woodford) <i>no Bates on this page</i> , but the copy used at Woodford's depo numbered Espenscheid 1 - 17.	
9. DirectSat Management Guidebook (Depo. exh. 9) DSAT/UTEK 001736	
10. 10-1-09 Yannantuono memo re New Timesheet Guidelines (Depo. exh. 11)	
11. DirectSat Weekly Timesheet (blank) (Depo. exh. 12) (also Depo. exh. 5, Woodford).	
12. Job Description - Technician (Depo. exh. 10) DSAT/UTEK 135-37	
13. Phone Calling Policy: "Collectively we are not doing a good job..." Depo. exh. 13	Objection (witness denied knowledge of document, which is not bates stamped).
14. Standard Installation sheet MN and WI rates 11-9-08 - Espenscheid (signed 5-26-09) (Depo. exh. 16) (also Depo. exh. 3, Woodford)	
15. Espenscheid time sheet 6-20-09 (Depo. exh. 17)	
16. Payroll explanation and compliance form (Depo. exh. 19) DSAT/UTEK 2011-2013	
17. Unitek new hire checklist (Depo. exh. 22) DSAT/UTEK 14	
18. Corrective Action Process (Depo. exh. 26) DSAT/UTEK 001730-36	
19. New Hire Process Policy (Depo. exh. 47) DSAT/UTEK 002004-5	
20. UniTek USA Employee Policy Booklet with excerpt - Company Owned Vehicle policy DSAT/UTEK 35, 52-53 (note: there is a separate Bates number cut off in the copy)	
21. UniTek USA Employee Policy Booklet with excerpt on GPS policy prepared by Fabrizio 6-7-07 DSAT/UTEK 35, 54	
22. Michael Clay's Standard Installation sheet, 6-4-07 DSAT/UTEK 98253	
23. DirectSat USA Technician Expectations (Depo. exh. 1, Dellinger) DSAT/UTEK 112444- 46	
24. Snell email chain 9-24-09 re. GPS exception reporting DSAT/UTEK 364374-76	
25. Giacalone email chain 10-29-07 DSAT/UTEK 364377-81	Objection. Hearsay; relevance.
26. Wannarka email chain 9-15-08 re. Time sheets and lunch (Depo. exh. 11) Idler 3876-77	Objection. Hearsay; relevance.
27. DirectSat Technician Payroll Policy & Procedures - effective 12-4-06 DSAT/UTEK 9656	
28. 10-16-08 memo from Shockman re How Piece Rate is Calculated (<i>numbering is "NKA008311"</i>)	
29. Packet of 207 DirectSat emails to Idler from August, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	Objection. Hearsay; relevance; failure to identify actual emails in declaration; vioaltion of witness advocate rule; authentication.
30. Packet of 135 DirectSat emails to Espenscheid from August, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	Objection. Hearsay; relevance; failure to identify actual emails in declaration; vioaltion of witness advocate rule; authentication.
31. Packet of 162 DirectSat emails to Idler from September, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	Objection. Hearsay; relevance; failure to identify actual emails in declaration; vioaltion of witness advocate rule; authentication.
32. Packet of 122 DirectSat emails to Espenscheid from September, 2009, as identified in Haag Aff., Dkt. #375, ¶ 6-8	Objection. Hearsay; relevance; failure to identify actual emails in declaration; vioaltion of witness advocate rule; authentication.
33. Emails to and from Brian Carrier in 2009, CARRIER2 1-14	Objection. Hearsay.
34. Carrier Workorders, CARRIER 15-90	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

35. Carrier personnel file DSAT/UTEK 145637-663	
36. Carrier timesheets 1.3.09-3.21.09, Non-sequential Bates	
37. Carrier meeting sign-in sheets (Big Lake, MN) DSAT/UTEK 016965-999 (there are gaps in the numbering, but the exhibit is one packet of sign-in sheets)	
38. PA Calls 2008-2009, Bates DSAT-UTEK 165496-165581	
39. Technician Meeting Sign-In Sheets (Claremont, MN), DSAT-UTEK 016780-016880	
40. Email Shockman 11.15.07 regarding an exit interview, DSAT-UTEK 043099-100	
41. Corrective Action Notice ("CAN"), DSAT-UTEK 061404 (Noll 10.15.08)	Objection. Hearsay.
42. CAN, DSAT-UTEK 074605 (Corpus 3.4.09)	
43. CAN, DSAT-UTEK 008502 (Holmes 12.22.09)	
44. Cell Phone Policy (Espenscheid), DSAT-UTEK 000022	
45. Email Idler 10.19.09 regarding new timesheets, IDLER 50372-84	Objection. Relevance, Hearsay, Authentication.
46. Power Point slides "New Timesheets-effective 10/4/09", No Bates range	Objection. Relevance, Hearsay, Authentication.
47. Woodford Email 9.17.09 regarding paycheck verification procedure, DSAT-UTEK 00166, 00163	Objection. Document not accurately identified.
48. Trimble Manual and Reports, TRIMBLE/@ROAD DIRECTSAT CONFIDENTIAL 002070-002281	Objection. Authenticity and Hearsay.
49. Email Norm Snell 8.12.09, DSAT-UTEK 366705-07	
50. Email John Kowalski 5.9.07, DSAT-UTEK 366821-22	
51. Email Greg Militello 8.11.09, DSAT-UTEK 366855-56	
52. Email Phil Wannarka 9.1.09, IDLER 50431-32	
53. Email Phil Wannarka 9.29.10, IDLER 50363-64	
54. Email Phil Wannarka 8.10.09, IDLER 50420-27 (Depo. Exh. 62)	
55. @Road Report 4.28.09 regarding onsite by 8:00 am, No Bates range	Objection. Hearsay, Authentication.
56. Email William Jones 5.8.09, IDLER 50370-71	
57. Email Scott Barnes 8.10.09, IDLER 50395	Objection. Hearsay.
58. Email Dennis Ross 8.10.09, IDLER 50397	Objection. Hearsay.
59. Email Dennis Ross 10.19.09, IDLER 50372-84 (Idler Depo Exh. 9)	Objection. Hearsay.
60. Personnel Action Notice ("PAN") 7.20.09, DSAT/UTEK 105083	
61. PAN 8.13.09 DSAT/UTEK 105080	
62. Email Elizabeth Downey 9.11.08, DSAT/UTEK 105063	Objection. Relevance.
63. COV Policy DSAT/UTEK 105029-31	
64. Lawley Memo 10.12.09 DSAT/UTEK 105059	Objection. Hearsay. Relevance.
65. Timesheet exemplar DSAT/UTEK 001742	
66. Hisey Letter to Wannarka DSAT/UTEK 105019-105020	Objection. Relevance.
67. Email to Wannarka, IDLER 50433	Objection. Hearsay.
68. Idler GPS example (no Bates) with exemplar timesheet (IDLER 3)	
69. Email Wannarka 4.28.09 IDLER 50559-60 with @Road Report IDLER 50561-569 (Depo. Exh. 61)	
70. Email Wannarka 8.6.09 IDLER 50394	
71. Safety Meeting Report DSAT/UTEK 016788-89	
72. Email Wannarka 9.15.08 IDLER 3876-77	Objection. Hearsay.
73. Point Matrix DSAT/UTEK 00533-39	
74. Point Matrix DSAT/UTEK 00516-18	
75. Performance Measurement Policy DSAT/UTEK 22070	
76. Email Wannarka 8.13.09 IDLER 50428-30	Objection. Hearsay, Relevance.
77. Email Miller and Lawley 11.2.09 DSAT/UTEK 077381-83	Objection. Hearsay, Relevance.
78. Email Wannarka 8.2.09 IDLER 50555-57	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

79. CAN 1.29.09 DSAT/UTEK 023865	
80. Idler Depo. Exh. 11 (Timesheets)	
81. Idler Depo. Exh. 5 (Personnel File)	
82. GPS Installation IDLER 49898	Objection. Hearsay, Authentication.
83. Idler Depo. Exh. 10 (Jeremy Johnson email)	Objection. Hearsay.
84. Idler Depo. Exh. 12 (GPS data)	
85. Idler Depo. Exh. 13 (timesheet and GPS data)	
86. Idler Timesheets, week ending 2.7.09 – 2.6.10, Bates non-sequential	
87. Idler GPS and payroll data provided by DirectSat 8.1.09-10.31.09, no Bates	
88. PROS Report re Dan Allers DSAT/UTEK 109834 and 109405	
89. Allers timesheets 3.14.09-3.13.10, Non-sequential Bates	
90. Allers GPS and payroll data provided by DirectSat 8.1.09-11.1.09, no Bates	
91. Allers personnel file DSAT/UTEK 356470-526	
92. Scott Barnes timesheets 1.4.09-10.19.09, Non-sequential Bates	
93. Barnes personnel file DSAT/UTEK 167101-133	
94. Tom Berryman timesheets 3.14.09, 3.28.09, 8.15.09	
95. Berryman GPS and payroll data provided by DirectSat 5.19.09-8.14.09	
96. Berryman personnel file DSAT/UTEK 144484-521	
97. Marc Braniff timesheets 2.21.09-8.15.09, Non-sequential Bates	
98. Braniff GPS and payroll data provided by DirectSat 6.28.09-9.24.09	
99. Braniff personnel file DSAT/UTEK 145119-237	
100. Steve Kopischke personnel file DSAT/UTEK 148237-266	
101. Kopischke time sheets 6.26.09-9.5.09, Non-sequential Bates	
102. Kopischke GPS and payroll data provided by DirectSat 7.20.09-8.31.09, no Bates	
103. Corrective Action Form – Discipline for missed weekly meetings.	
104. Corrective Action Form – Discipline for missing other mandatory meetings and events.	
105. Corrective Action Form – Discipline for performance on scorecard.	
106. Correction Action Form – Discipline related GPS-detected violations.	
107. Correction Action Form – Discipline for failing to make customer contact.	
108. Termination Report – Termination for low scorecard rating.	
109. Termination Report – Termination for performance generally.	
110. Termination Report – Termination for violation of a policy that was discovered through managers and/or supervisor's use of GPS.	
111. Termination Report – Terminated in part for being tardy for or missing mandatory meetings.	
112. Personnel Action Notice – Relating to per diem payments paid to technicians.	
113. Personnel Action Notice – Bonuses to technicians for moving from position of installation technician to lead installation technician.	
114. Personnel Action Notice – Reflecting pay for training other technicians.	
115. Personnel Action Notice – Pay to technician for covering supervisor position during supervisor's vacation.	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

116. Personnel Action Notice – Bonuses for being selected as Tech of the Quarter.	
117. Personnel Action Notice – QC Bonuses.	
118. Personnel Action Notice – Jump Bonus for working a 6-day week.	
119. Personnel Action Notice - Bonuses for Safety Bingo.	
120. E-mail from Sara Rafferty to Yvette Shockman dated March 5, 2007, providing for additional pay for training at a daily rate.	Objection. Hearsay, Relevance.
121. Authorization to Deduct from UNITEK USA Employee – Deductions for lost items.	
122. Authorization to Deduct from UNITEK USA Employee – Deductions for stolen items.	
123. Authorization to Deduct from UNITEK USA Employee – Deductions for “lost/stolen” items.	
124. Shockman 4.13.07 email string re deduction for frozen equipment in truck	
125. Earnings Statement – Including trainer pay.	
126. Earnings Statement – Including pay for protection plan.	
127. Earnings Statement – Including pay for DTV – Sales	
128. Earnings Statement – Including additional pay for field training.	
129. Earnings Statement – Including Bonus Pay.	
130. Earnings Statement – Including pay for DTV Retention	
131. Exit Interview – Tony Moore	
132. Exit Interview – Gregory Hooks	Objection. Relevance, Hearsay
133. Shockman email 11. 15.07 re exit interview	Objection, Hearsay.
134. Corrective Action Form – States when techs’ day begins	
135. Personnel File Documents Relating to ERD Case LS200903643	Objection. Hearsay.
136. Corrective Action Form – Discipline for improper work order disposal.	
137. Corrective Action Form – Discipline for improper inventory rotation.	
138. Corrective Action Form – Discipline for break.	
139. Corrective Action Form – Discipline for improperly turning in Work Orders.	
140. Corrective Action Form – Discipline for claiming overtime without appropriate approval.	
141. Espenscheid Timesheets dated 6/28/08-12/19/09	
142. Espenscheid GPS and payroll data provided by DirectSat dated 8/2/09-11/1/09	
143. Espenscheid Personnel File DSAT-UTEK 000013-000032	
144. Ludlum Timesheets dated 6/28/08-8/29/09	
145. Ludlum Personnel File	
146. Ludlum review	
147. Wetzel Timesheets dated 8/25/07-2/16/08	
148. Wetzel Personnel File	
149. James George Timesheets dated 8/9/08-2/7/09	
150. George Personnel File	
151. Stephen Forrest Timesheets dated 9/20/08-2/28/09	
152. Forrest Personnel File	
153. R.J. Hutchison Timesheets dated 2/28/09-2/6/10	
154. R.J. Hutchison GPS and payroll data provided by DirectSat dated 12/13/09- 3/13/10	
155. R.J. Hutchison Personnel File	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

156. David Lewin Report dated 8.12.10 (inclusive of exhibits)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude all Testimony and Reports of Dr. David Lewin. Dkt. No. 576, 578.
157. David Lewin Report dated 10.12.10 (inclusive of exhibits)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude all Testimony and Reports of Dr. David Lewin. Dkt. No. 576, 578.
158. David Lewin Report dated 4.11.11 (inclusive of exhibits)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude all Testimony and Reports of Dr. David Lewin. Dkt. No. 576, 578.
159. David Lewin Report dated 4.21.11 (inclusive of exhibits)	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude all Testimony and Reports of Dr. David Lewin. Dkt. No. 576, 578.
160. David Lewin CV	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude all Testimony and Reports of Dr. David Lewin. Dkt. No. 576, 578.
161. Shockman Notebook entry re. OT training	
162. Shockman Notebook entry re. OT and lunch	
163. Shockman Notebook entry re. OT calculation	
164. Shockman Notebook entry re. start of workday	
165. Yannantuono email re Payroll change	
166. New Hire Facilitator's Guide re Work Orders	
167. New Hire Facilitator's Guide	
168. DirectSat Org. Chart 1.21.2010	Objection. Relevance.
169. Piece Rate Calculation Memo 2.20.09	
170. DirectSat HR Org. Chart	Objection. Relevance.
171. Training Pay Structure and rates	Objection. Relevance.
172. Herbert Blunt GPS and payroll data provided by DirectSat dated 8.1.09-11.1.09	
173. Christopher Nye GPS and payroll data provided by DirectSat dated 8.2.09- 10.31.09	
174. Michael Clay Timesheets week ending 9.1.07-2.2.08, Bates Non-sequential	
175. Clay personnel file	
176. Herbert Blunt timesheets week ending 1.19.08-12.26.09, Bates Non-sequential	
177. Blunt personnel file	
178. Frantz Charles timesheets week ending 8.15.09-12.26.09, Bates Non-sequential	
179. Charles personnel file	
180. Charles GPS and payroll data provided by DirectSat dated 8.1.09-10.20.09, no Bates	
181. Christopher Nye timesheets week ending 2.14.09-3.26.11, Bates Non-sequential	
182. Nye personnel file	
183. Nye GPS and payroll data provided by DirectSat dated 8.1.09-10.31.09, no Bates	
184. Hank Holloway-Bryant personnel file	
185. James Atkinson personnel file	
186. Atkinson timesheets week ending 6.28.08-4.4.09, Bates Non-sequential	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

187. David Deserre personnel file	
188. Deserre timesheets week ending 11.15.08-4.11.09, Bates Non-sequential	
189. Brett Domke personnel file	
190. Domke timesheets week ending 1.3.09-11.28.09, Bates Non-sequential	
191. Domke GPS and payroll data provided by DirectSat dated 8.2.09-10.31.09, no Bates	
192. Bradley Pauwels personnel file	
193. Pauwels timesheets week ending 2.21.09-1.23.10, Bates Non-sequential	
194. Randall Whitrock personnel file	
195. Whitrock timesheet 11.7.09	
196. Whitrock GPS and payroll data provided by DirectSat dated 8.2.09-10.31.09	
197. Yannantuono email chain 5-20-09 re: Mike Thompson	
198. Riddle email chain 1-25-08 re: Chicago labor	Objection. Relevance, Hearsay
199. Riddle email chain (8-10-07) re. Margin Critical Situation	
200. Heaberlin email chain (2-2-2010) re. Techs scheduled hours vs. closed work	
201. EK 368386 Pre-call checklist	
202. Quarter-end rate sheet DSAT/UTEK 036586 (Woodford Depo Exh 2)	
203. Winterbottom Depo Exh 13- Memorandum to technicians re: calls to customers.	Objection. Authenticity, Relevance, Hearsay.
204. Winterbottom Depo Exh 14- Memorandum dated July 9, 2008 from Yvette Shockman to All Technicians and Hourly Personnel re: Timesheet Policy.	
205. Winterbottom Depo Exh 15- Memorandum dated February 2, 2009 to all technicians re: timesheet policy	
206. Winterbottom Depo Exh 58- Declaration of Jeffrey Winterbottom.	
207. Winterbottom Depo Exh 59- Activity Detail Activity Report from 10/7/07 to 10/9/07	
208. Winterbottom Depo Exh 60- Exception Report	Objection. Relevance.
209. Weekly PROS reports from Minnesota profit centers:	Objection. Authenticity, Relevance, Hearsay.
PROS Report 20100816-1425, created 8/16/2010 by Latesha Winston	Objection. Authenticity, Relevance, Hearsay.
PROS Report 20100712-1533, created 7/12/2010 by Latesha Winston,	Objection. Authenticity, Relevance, Hearsay.
PROS Report 20100426-1644, for W/E 04.24.10 - 698-3, created 4/26/2010,	Objection. Authenticity, Relevance, Hearsay.
PROS Report 20100223-1454, for W/E 02.20.10 - 698-3, created 2/23/2010	Objection. Authenticity, Relevance, Hearsay.
PROS Report 2009-05-17_2009, for W/E 05.23.09 - 698-2, created 5/26/2009	Objection. Authenticity, Relevance, Hearsay.
PROS Report 2009-02-08_2009, for W/E 02.14.09 - 698-2, created 2/16/2009	Objection. Authenticity, Relevance, Hearsay.
210. Bryan Bruheim timesheets week ending 12.27.08 – 3.13.10, non-sequential Bates	
211. Dennis Warner personnel file	
212. Warner timesheets weekending 1.3.09-10.3.09	
DOCUMENTS PLAINTIFFS' MAY USE:	
1. 7-9-08 memo from Shockman re Timesheet Policy	
2. 2-2-09 Timesheet Policy	
3. Authorization to deduct from DirectSat USA employee - blank, with additional file out	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

4. New employee payroll date form	
5. Authorization to Deduct from DirectSat USA employee (blank)	
6. Weekly Timesheet (blank) revision date 7-8-08	
7. 12-3-09 memo re Paycheck Verification Procedure	
8. Personnel Action Notice (blank)	
9. Termination report (blank) with termination policies	
10. Fleet Maintenance Policy and Procedures	
11. COV instructions	
12. 10-3-07 memo from Shockman re. Timesheet Policy	
13. 10-16-08 memo from Shockman re. How Piece Rate is Calculated	
14. Weekly Timesheet (blank)	
15. DirectSat org chart	
16. Overtime Policy in effect in March, 2007 (signed by "Santiago")	
17. Time Card Policy & Procedure	
18. DirectSat Technician Policy Payroll and Procedures, signed by Bolden 1-9-07	
19. Truck Kit / Tool Issuance Form [technician name is illegible]	
20. GPS activity report 10-7-07 - 10-9-07	
21. GPS acknowledgement (bearing Larry Clark's signature) prepared by Fabrizio, 6-7-07	
22. DirectSat Tool Form signed 7-17-07	
23. Crowder corrective action form, 2-6-07	
24. Gall corrective action form, 1-20-10	
25. Nowak corrective action form, 2-24-09	
26. Scorecard for Mark Schmidt	
27. Peterson 3-19-09 email chain re Noyes - speeding - GPS data	Objection. Hearsay.
28. Lawley email chain including GPS data relative to Shannon Thuecks, 11-3-09	Objection. Hearsay.
29. 11-2-09 Miller email chain re. Shannon Thuecks (GPS information)	Objection. Hearsay.
30. Creed Patrick email chain	Objection. Hearsay.
31. Hisey email chain (8-11-07) re. Marting Update	Objection. Hearsay.
32. Riddle email chain 10-12-07 re. SkyREPORT	Objection. Hearsay.
33. 4-21-09 email chain Johnson / Wannarka / Braniff re SIN7 SIN30	Objection. Hearsay.
34. Leider email chain 1-17-10 re. Time cards and travel Idler 50482-84	Objection. Hearsay.
35. Unitek organization charts.	
36. UniTek USA DirectSat USA Time Card Policy & Procedures 6-22-06 revision	
37. Up-Training Request,	Objection. Document not identified.
38. Weekly Time Variance Trimble 2176-2177	Objection. Authenticity, Relevance, Hearsay.
39. Weekly timesheet (blank) Revision date: 7-6-08	
40. Declaration of Clayton Abernathy	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
41. Declaration of Fuad Abugebara	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
42. Declaration of Gregg Adamson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
43. Declaration of Daniel Allers	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

44. Declaration of Judd Altenburg	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
45. Declaration of Sergio Alvarez	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
46. Declaration of Jonathan Archibald	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
47. Declaration of Jonathan Arendosh	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
48. Declaration of James Atkinson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
49. Declaration of Mauricio Ayala	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
50. Declaration of Thomas Berryman	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
51. Declaration of Adam Blackwell	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
52. Declaration of Herbert Blunt	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
53. Declaration of Kenneth Boggs	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
54. Declaration of Ricardo Bolano	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
55. Declaration of Marc Braniff	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
56. Declaration of Dennis Broussard	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
57. Declaration of Kenderman Brown	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
58. Declaration of Donald Bruce	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
59. Declaration of Bryan Bruheim 2/17/10	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
60. Declaration of Bryan Bruheim 4/6/11	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
61. Declaration of Lamont Burdine	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

62. Declaration of Joshua Burling	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
63. Declaration of Marvin Butler	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
64. Declaration of Brian Carrier	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
65. Declaration of John Castro	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
66. Declaration of Franz Charles	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
67. Declaration of Alfred Ciarletta	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
68. Declaration of Michael Clay	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
69. Declaration of Stephanie Cook	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
70. Declaration of Patrick Cragin	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
71. Declaration of Sheldon Dable	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
72. Declaration of Kyle Darst	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
73. Declaration of Carl Davis	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
74. Declaration of David Deserre	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
75. Declaration of Brett Domke	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
76. Declaration of Grant Dorniden	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
77. Declaration of Thomas Ejnik	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
78. Declaration of Aaron Espenscheid	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
79. Declaration of Chuck Evers	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

80. Declaration of Stephen Forrest	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
81. Declaration of Nathan Fraley	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
82. Declaration of Christopher Frey	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
83. Declaration of Terrance Wayne Franklin	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
84. Declaration of James George	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
85. Declaration of Troy Gilbertson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
86. Declaration of Christopher Gillespie	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
87. Declaration of Kenneth Haehl	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
87. Declaration of Gregory Haley	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
89. Declaration of Robert Hammond	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
90. Declaration of Mitch Hanson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
92. Declaration of Joel Hoheisel	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
93. Declaration of RJ Hutchison	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
93. Declaration of Gary Idler	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
94. Declaration of Gregg Jablonowski	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
95. Declaration of Jeremy Johnson	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
96. Declaration of Gregoire Joseph	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
97. Declaration of Abraham Kawah	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

98. Declaration of Steve Kopischke	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
99. Declaration of Robert Lantz	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
100. Declaration of Michael Larrabee	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
101. Declaration of Keith Leitzinger	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
102. Declaration of Rachel Loftin	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
103. Declaration of James Long	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
104. Declaration of Chad Ludlum 10/20/10	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
105. Declaration of Chad Ludlum 3/10/11	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
106. Declaration of Roney Martinez	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
107. Declaration of Richard Mayer	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
108. Declaration of Marlon Mills	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
109. Declaration of William Morrison	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
110. Declaration of Brad McNeil	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
111. Declaration of Steven Norgbean	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
112. Declaration of Christopher Nye	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
113. Declaration of Joseph O'Brien	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
114. Declaration of Peter Paige	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
115. Declaration of Tyler Parker	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

116. Declaration of Robert Pass	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
117. Declaration of Bradley Pauwels	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
118. Declaration of John Peshek	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
119. Declaration of Terry Petersen	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
120. Declaration of Stewart Thomas Phillips	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
121. Declaration of Joshua Pillsbury	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
122. Declaration of Carlos Piloto	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571. Further, Defendants were granted summary judgment as to Mr. Piloto.
123. Declaration of Carlos Puebla	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
124. Declaration of Jose Rivera	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
125. Declaration of Matthew Schwegman	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
126. Declaration of David Setren	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
127. Declaration of Clinton Skeens	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
128. Declaration of Michael Smith	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
129. Declaration of William Smith	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
130. Declaration of Robert Synan	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
131. Declaration of Kyle Toering	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
132. Declaration of Daniel Vang	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

133. Declaration of Eric Wagner	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
134. Declaration of Richard Walker 2/17/10	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
135. Declaration of Richard Walker 3/10/11	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
136. Declaration of Dennis Warner	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
137. Declaration of Ray Wetzel	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
138. Declaration of Randall Whitrock	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
139. Declaration of Todd Witkowski	Defendants incorporate by reference their Motion in Limine to Preclude Plaintiffs Preclude Plaintiffs Use of their Declarations. Dkt. No. 571
140. 9-18-09 Paycheck verification procedures	
141. Employee Agreement - Pre-Tax Payroll Deductions	Objection. Document not identified.
142. How to Use TriCor's Internet Requesting System	Objection. Relevance.
143. DirectSat Employee Candidate Employment Release Statement (blank)	Objection. Relevance.
144. DirectSat Abuse Acknowledgment / Release Employee Candidate (blank)	Objection. Relevance.
145. PTO Request Form (blank)	Objection. Relevance.
146. DirectSat form SSA-89 (blank)	Objection. Relevance.
147. Drug-Free Workplace Policy	Objection. Relevance.
148. FMLA policy	Objection. Relevance.
149. Company paid holiday policy	Objection. Relevance.
150. Interview Questions	Objection. Relevance.
151. DirectSat Experienced Technician Referral Program	Objection. Relevance.
152. Request for Resources	Objection. Relevance.
153. Espenscheid Weekly Time Sheet, week ending 1-10-09	
154. Espenscheid timesheet wk ending 5-16-09	
155. Authorization to deduct, 8-31-09, Dwayne Hefner	
156. Authorization to deduct, 9-30-07, Donzie Bender	
157. Authorization to deduct for Technician Blanchette, 11-2-07	
158. Billak personnel documents	
159. Billak DSAT History	Objection. Document not identified.
160. DirectSat USA Fleet Policy Handbook with 3-3-09 Global Positioning System Policy excerpt	Objection. Document not identified.
161. HSP Site Training Cover Sheet - Rola (training manager)	Objection. Document not identified.
162. HSP Site Training Cover Sheet (blank)	Objection. Document not identified.
163. PA call 11-21-08 No Bates, but 10 pages. (Dkt no. 379-12)	Objection. Authenticity, Relevance, Hearsay.
164. PA Call 8-7-09 No Bates, but 4 pages (Dkt no. 379-8, pp. 33-36)	Objection. Authenticity, Relevance, Hearsay.
165. Technician pay information from Philadelphia week ending 6-16-07	Objection. Document not identified.
166. Technician pay information from Philadelphia week ending 6-23-07	No objection at this time, subject to verification as no bates numbers provided.
167. Technician pay information from Philadelphia week ending 6-30-07	

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

168. Payroll uploads from 2007	No objection at this time, subject to verification as no bates numbers provided.
169. 1-16-10 Email to dispatchers and supervisors and some upper mgmt from Gail Stephens re. GPS	Objection.
170 12-14-09 Email to dispatch and some upper mgmt from Tandy Talbot. re. GPS	Objection.
171. 1-28-10 Email to dispatch and upper mgmt from Gail Stephens. re. GPS	Objection.
172. 2-17-09 Email to dispatch and upper mgmt from Randy Talbot re. GPS	Objection.
173. 10-6-09 Heaberlin Email re. GPS	Objection.
174. 5-6-09 Email string involving Shockman re.timesheet accuracy	Objection.
175. Email refers to GPS providers Trimble and "Greenroad".	Objection.
176. Email "FSR's & Escalations" by Martin Jones re. ETA call policy	Objection.
177. 6-11-09 Email Heaberlin re. GPS	Objection.
178. 2-3-10 Email Muehlenbruch to Morrison, Carroll, Miller re. after hours exception reports	Objection.
179. 12-17-09 Email from Heaberlin including upper meetings in morning and nonproduction pay	Objection.
180. 2-21-09 Email Vagnozzi, Downey, Lawley, Marino re. PROS	Objection.
181. 9-18-07 Email Heaberlin, Yannantuono, Bramson re. OT	Objection.
182. 11-24-09 Email Brodsky to Giacalone, Hisey re.financial information and lawsuits	Objection.
183. 5-15-07 Email to Downey from Prisk. Re. not recording OT	Objection.
184. 2-20-07 Email between Hisey and Yannantuono re:. GPS	Objection.
185. 10-9-08 Email Lawley and Shockman re OT and lawsuits	Objection.
186. 2-1-08 Email from a DirecTV to Yannantuono, Downey, Hisey re a wage and hour lawsuit in Missouri.	Objection.
187. 2-16-08 Email Downey and Fabrizio re. Rizk case	Objection.
188. 8-3-09 Email from a tech to Sobieraj and Nagel. re. GPS and timesheets	Objection.
189. 8-27-08 Email Dan Y., Robbins, Miller, Kowalski, re. 10 and 12 hour shifts	Objection.
190. 8.27.08 Yannantuono Email re Siebel	Objection.
191. 4.24.08 Email Kowalski, Riddle, Yannantuono, Miller re Siebel	Objection.
192. 2-18-09 Email Downey to Yannantuono, Lejman, re. financials and lawsuits	Objection.
193. 9-4-06 Email memo from Littler Mendelson to Steve Amato re a class action	Objection.
194. 9-11-08 Email Dellinger email re "the bulk of the country in underreporting, Siebel durations might be marginally off, they are not off by 20+ hours a week."	Objection.
195. 11-4-08 Email Shockman and Lawley re. underreporting	Objection.
196. 2.18.09 Email Downey, Yannantuono re. underreporting	Objection.
197. 9-6-07 Email Hisey to outside counsel re an individual lawsuit and financials	Objection.
198. Email Romano to Yannantuono, Conn, Patrick, Heaberline, and others, 1-31-08 re. OT scheduling	Objection.
199. Email Yannantuono to many, including Riddle, Downey, and DSat managers re. underreporting	Objection.
200. September 13, 2007 email including Yannantuono, Downey, Miller, Kowalski re. Siebel scheduling and lunch breaks	Objection.
201. 8-15-07 Email Miller, Yannantuono, Heaberlin, Riddle, Kowalski re. Seibel Routing Analysis and 10 hour workday."	Objection.

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

202. Aug-Sept. 2009 Email string with Kowalski, Heaberlin, Carroll, Miller, Yannantuono re. underreporting and effective hourly rate	Objection.
203. 1-14-09 Email from Shockman re. altering timesheet	Objection.
204. Email chart showing required hours of availability for each profit center and the number of hours of actual availability of techs for each profit center.	Objection.
205. Email Possibly a Siebel report showing hours scheduled for each tech.	Objection.
206. 6-16-09 Email Downey to Dougherty and Bronstein re. knowledge of underreporting	Objection.
207. Email Shockman to a local supervisor. August 2009 re. travel time compensation	Objection.
208. 1-10-05 Email memo from Stephenson to Hisey, Battaglia, and others, re. travel time compensation and paperwork time	Objection.
209. 2-19-08 Email from Lawley to managers re a memo re overtime and meal periods	Objection.
210. 10-18-08 Email from a tech to Yannantuono re. no OT	Objection.
211. 7-25-06 Email from a PA to Heaberlin Riddle, Yannantuono, Downey re. timesheets	Objection.
212. 8-25-08 Email from Bill Lever to Bramson and Heaberlin re. OT	Objection.
213. 10-23-09 Email between Shockman and Michael Lennon re how to calculate effective hourly rate.	Objection.
214. 11-18-08 Email Yannantuono and others re. GPS cost benefit analysis	Objection.
215. 7-31-08 Email from Fabrizio re. DOL requests and timesheets	Objection.
216. 11-24-09 Email Lejman to Brodsky Giacalone Hopkin, Hisey re litigation issue	Objection.
217. 8-28-08 Email Lawley, Yannantuono, Downey, re. OT	Objection.
218. 11-1-09 Email Heaberlin to Yannantuono re. OT and efficiency	Objection.
219. 8-11-09 Heaberlin emails re. revenue per tech	Objection.
220. 3-2-08 Email from Yannantuono to Fabrizio re Rizk litigation and upcoming deposition of Randy, a dispatch manager.	Objection.
221. 4-27-07 Email Hisey to Yannantuono re. company policy violations	Objection.
222. Email Riddle to Dellinger and Yannantuono re. MR report and cutting OT	Objection.
223. 10-1-07 Email Joy Powell, PA, to Lawley, acknowledging that numerous timecards had been altered	Objection.
223. 8-11-09 Email Shockman, Snell, Dave Miller, Militello re. PROS system	Objection.
225. 5-26-07 Email Yannantuono to Hisey re. company policy	Objection.
226. Email Downey regarding overtime	Objection.
227. Email Ramono to Victor, Core, Yannantuono, Kowalski, Sowell re: \$15.00 efficiency rate	Objection.
228. 12-26-06 Email Prisk to Downey re. OT violation offense	Objection.
229. 3-13-07 Email Battaglia to field and management re. overtime problems	Objection.
230. 2-7-06 Email Blast Facts Tech Points Scheduled Report	Objection.
231 5-8-07 Email Yannantuono to Kowalski re. @road reports	Objection.
232. 12-27-07 Email string involving Shockman, W. Jones, and a local PM, re. timesheet accuracy	Objection.
233. 10-20-06 Email Randy Talbot and Riddle re. preb call policy and work orders	Objection.
234. 8-11-09 Email Militello, Dave Miller, Shockman, Snell re GPS and new timesheets	Objection.

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

235. 7-27-09 Email Shockman re new timesheets, meeting time and production	Objection.
236. 2-2-08 Email email from a tech to Riddle, Downey, Yannantuono re. routes	Objection.
237. 12-5-07 Email to Giacalone re Oregon class action	Objection. Hearsay, Attorney-Client Privilege.
238. William Morrison Review Sept. 2009	Objection. Relevance.
239 Review re CNI Bonus	Objection. Relevance.
240. 226. Greg Twilley review re. CNI bonus	Objection. Relevance.
241. UniTek Global Org Chart for HR	Objection. Relevance.
242. 8.24. 10 Memo re. bonus plan	Objection. Relevance.
243. Yannantuono Memo 10.1.09 Redline	Objection. Document not identified.
244. Safety Meeting Handout and sign-in sheet 1.12.09 (Pittsburgh, PA)	Objection.
245 Job Description - Field Supervisor (Depo. exh. 20) DSAT/UTEK 143-146	
246 UniTek USA DirectSat USA Employee Handbook (Depo. exh. 2, Idler) DSAT/UTEK108111 - 54	
247 Unitek USA Employee Handbook (Depo. exh. 63, Clay) DSAT/UTEK 108155-98	
248 Timesheets from profit center 636 showing same start time, lunch break and ending time every day: Charles Booker, Bates nos. DSAT-UTEK304396, Rafael Bohorquez, Bates nos. DSAT-UTEK305877, Charles Tice, Bates nos. DSAT-UTEK305646	
249 Timesheets from profit center 637 showing same start time, lunch break and ending time every day: Benito Delacruz, Bates nos. DSAT-UTEK311902 and 312576 Noel Nansley, Bates nos. DSAT-UTEK311098, Richard Sirotnak, Bates nos. DSAT-UTEK311270	
250 Timesheets from profit center 638 showing same start time, lunch break and ending time every day: Michael Davies, Bates nos. DSAT-UTEK314644, Jonathan Shultz, Bates nos. DSAT-UTEK314708	
251 Bryan Bruheim personnel file DSAT/UTEK 141169-141205	
252 Michael Jackson personnel file DSAT/UTEK 170155-170200	
253 Jackson timesheets week ending 8.2.08-3.12.11	
254 Jackson GPS and payroll data provided by DirectSat dated 8.1.09-10.31.09, no Bates	
255 Dustin Nicholson personnel file DSAT/UTEK 151043-151073	
256 Nicholson timesheets week ending 2.7.09-5.2.09	
257 Todd Witkowski personnel file DSAT/UTEK 117953-117984	
258 Witkowski timesheets week ending 11.28.09-2.27.10	
259 Todd Brennan personnel file DSAT/UTEK 121907-121949	
260 Brennan timesheets week ending 1.3.09-11.14.09	
261 Nathan Fraley personnel file DSAT/UTEK 359935-359978	
262 Fraley timesheets week ending 3.14.09	
263 Fraley GPS and payroll data provided by DirectSat 8.1.09-11.1.09	
264 Examples of Incomplete Personnel Files.	
265 DirecTV Time in Motion Studies (Seibel) produced pursuant to subpoena, Disk 1	Defendants object to the use of these documents as they were not produced to Defendants in this case.
266 DirecTV Time in Motion Studies (Seibel) produced pursuant to subpoena, Disk 2	Defendants object to the use of these documents as they were not produced to Defendants in this case.
267 DirecTV Time in Motion Studies (Seibel) produced pursuant to subpoena, Disk 3	Defendants object to the use of these documents as they were not produced to Defendants in this case.

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

268 DirecTV Time in Motion Studies (Seibel) produced pursuant to subpoena, Disk 4

Defendants object to the use of these documents as they were not produced to Defendants in this case.